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Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 L-03 CAB-02 CIAE-00 COME-00

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DRAFTED BY EB/OA/AVP:SCKEITER:JO
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EB/AN:JBMAGNOR
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---------- 066481
R 100235Z MAR 76
FM SECSTATE WASHDC
TO AMEMBASSY BONN
INFO AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS

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E.O. 11652: N/A

TAGS: EAIR, GW

SUBJECT: CIVAIR - PROPOSED NEW COMMISSION ARRANGEMENT FOR IGS

REF : BONN 2640

1. EMB CAA LINE PARA 2 REFTEL CORRECT. COMMISSIONS ARE NO MORE PART OF FARE THAN FUEL COST OR PILOTS' SALARIES.

2. IN OTHER CONTEXTS WE HAVE TAKEN VIEW THAT NATIONAL AUTHORITIES, IF ARMED WITH NECESSARY AUTHORITY UNDER LOCAL LAW, CAN REGULATE COMMISSIONS PAID WITHIN THEIR JURISDICTION; BUT NOT THOSE PAID ELSEWHERE, EVEN IF TRAVEL IS TO BE TO OR THROUGH THEIR COUNTRY, ON GROUNDS
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REGULATION ELSEWHERE WOULD BE UNACCEPTABLE ATTEMPT

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EXERCISE SOVEREIGNTY EXTRATERRITORIALLY. (STATE 216469
OF 9/75 BEING REPEATED FYI.) THIS WOULD ALSO APPLY TO
CAA'S AUTHORITY TO REGULATE COMMISSIONS ON TICKETS FOR
IGS SOLD OUTSIDE OF GERMANY.

3. WITH REGARD TO QUESTION WHETHER CAAS HAVE AUTHORITY
TO CONTROL COMMISSIONS IF THEY WISH, DEPT AGREES THAT
WHILE CAAS DO HAVE SUCH AUTHORITY, THIS DOES NOT MEAN
THAT SUCH REGULATION IS LEGALLY NECESSARY OR DESIRABLE.
DEPT SUPPORTS VIEW OF U.S. CAA THAT COMMISSION QUESTION
IS A MANAGEMENT DECISION BEST LEFT TO CARRIERS THEMSELVES.
KISSINGER

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